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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOWES

Jonathan Berall, M.D., M.P.H.

Plaintiff,

v.

Verathon Inc., Pentax of America, Inc., Karl
Storz Endoscopy-America, Inc., Aircraft
Medical, Ltd., LMA North America, Inc.,
and AirTraq LLC.

Defendants.

Civ. No. 10-CV-5777 (BSJ)

**STIPULATION AND ORDER OF
VOLUNTARY DISMISSAL OF AIRTRAQ
LLC WITHOUT PREJUDICE**

JURY TRIAL DEMANDED

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Dr. Jonathan Berall voluntarily dismisses Defendant AirTraq, LLC ("AirTraq") without prejudice, AirTraq having served neither an answer nor a motion for summary judgment. Plaintiff and AirTraq shall each bear their own costs and attorneys' fees.

All claims against the remaining Defendants are not part of this voluntary dismissal and shall remain in full force and effect.

Dated: October 26, 2010

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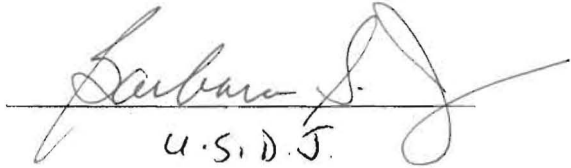
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Attorneys for Defendant AirTraq, LLC

IT IS SO ORDERED:

Dated: Nov. 3, 2010


U.S.D.J.
